

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2012-0007-CX

CASEFILE/PROJECT NUMBER: COC75077 and COC75078

PROJECT NAME: RG 32-25-198 Pipeline Extension

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 1 S., R. 98 W.,
sec. 25, lot 7.

APPLICANT: Bargath, LLC

DESCRIPTION OF PROPOSED ACTION: Bargath, LLC (Bargath) requests an extension of the natural gas pipeline (COC75077) and the water lines (COC75078) that serve the RG 32-25-198 well pad (see Exhibit A). The tie in for the pipeline and water lines is 380 feet from the authorized pipeline and water line rights-of-way (ROW). All construction would take place within the 50 ft ROW approved for the Pitcher's Mound System (COC73844 and COC73845), which was analyzed in [DOI-BLM-CO-110-2009-105-EA](#). Total disturbance during construction of the pipeline and water lines would be approximately 0.44 acres.

Pipeline ROW COC75077 would be amended to include the additional 380 feet with a width of 50 feet, containing approximately 0.44 acres. Water line ROW COC75078 would be amended to include the additional 380 feet with a width of 15 feet within the associated pipeline ROW, containing approximately 0.13 acres. Bargath would like to start construction as soon as possible.

All terms and conditions of the ROW grants will remain in full force and effect.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-49

Decision Language: “To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values.”

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E12: “*Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.*”

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X

Extraordinary Circumstance	YES	NO
1) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 10/25/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	11/15/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	11/15/2011
Zoe Miller	Ecologist	Special Status Plant Species	11/14/2011

REMARKS:

Cultural Resources: The proposed pipeline extension has been inventoried at the Class III (100 percent pedestrian) level by all or portions of five cultural resource inventories (Conner and Davenport 1999 compliance dated 11/9/1999, 2006 compliance dated 2/28/2011; Conner et al. 2001 compliance dated 9/6/2011; Greenberg and Kester-Tallman compliance dated 10/2006; Highland 2005 compliance dated 7/2005) with the previously heavily disturbed or destroyed site 5RB.4162 in or near the project area. The site has been officially determined to be ineligible for nomination to or listing on the National Register of Historic Places. There would be no new impacts to any known significant cultural resources from completion of the proposed pipelines.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological resources: The proposed pipelines are located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM WRFO has classified as a PFYC 4/5 formation, meaning it is known to produce scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989). If it becomes necessary to excavate into the underlying sedimentary rock to bury the proposed pipelines, there is a potential to impact scientifically noteworthy fossil resources. Any impacts that result in the destruction, damage, or displacement

of fossil resources would result in the irreversible, irretrievable, and cumulative loss of the regional paleontological database.

Special Status Wildlife Species: There are no threatened or endangered wildlife species that are known to inhabit or derive important use from the project area. The project area is located in mule deer severe winter range which is generally subject to the RMP timing stipulation for big game severe winter ranges (TL-08). The operator has committed to having work done prior to January 1, 2012; therefore this stipulation will not be applied.

Special Status Plant Species: The area was previously surveyed in 2008 for DOI-BLM-CO-110-2009-105-EA, and no special status plant species or habitat was found in the project area. Since the Proposed Action is a small area within a previously disturbed ROW, there should be no concerns associated within special status plant species.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

- 1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado

Conner, Carl E., and Barbara Davenport

- 1999 Class III Cultural Resource Inventory Report for the Proposed rock School Project Sodium Bicarbonate Facility in Rio Blanco County, Colorado, for AmerAlia, Inc. Grand River Institute, Grand Junction, Colorado. (99-11-06: SHPO #RB.LM.R390)

- 2006 Class III Cultural Resource Inventory Report for Twenty-one Proposed Ryan Gulch Well Locations and Related Access Routes in Rio Blanco County, Colorado for Williams Production RMT. Grand River Institute, Grand Junction, Colorado. (04/11/07: SHPO #RB.LM.R999)

Conner, Carl E., Nicole Darnell and Barbara Davenport

- 2011 Class III Cultural Resource inventory Report for the proposed RGU 32-25-198 Well Location in Rio Blanco County, Colorado for Williams Field Services Company, LLC. (11-11-28: SHPO #RB.LM.R1263)

Greenberg, Marc E., and Christina Kester-Tallman

- 2006 Class III Cultural Resource Survey of the Meeker lateral Pipeline, Rio Blanco and Garfield Counties, Colorado. Cultural Resource Analysts, Inc., Longmont, Colorado. (06-162-06: SHPO #MC.LM.R620)

Highland, Steven

- 2005 A Class III Cultural Resource Inventory for the Proposed Ryan Gulch 2-D Seismic Project, Rio Blanco County, Colorado. TRC Mariah Associates, Inc., Salt Lake City, Utah. (05-22-01b: SHPO # RB.LM.R1131)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

1. All applicable terms, conditions, and stipulations contained in original ROW grants COC75077 and COC75078 shall be carried forward and remain in full force and effect.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.
4. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The holder will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

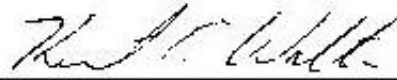
NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E12. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

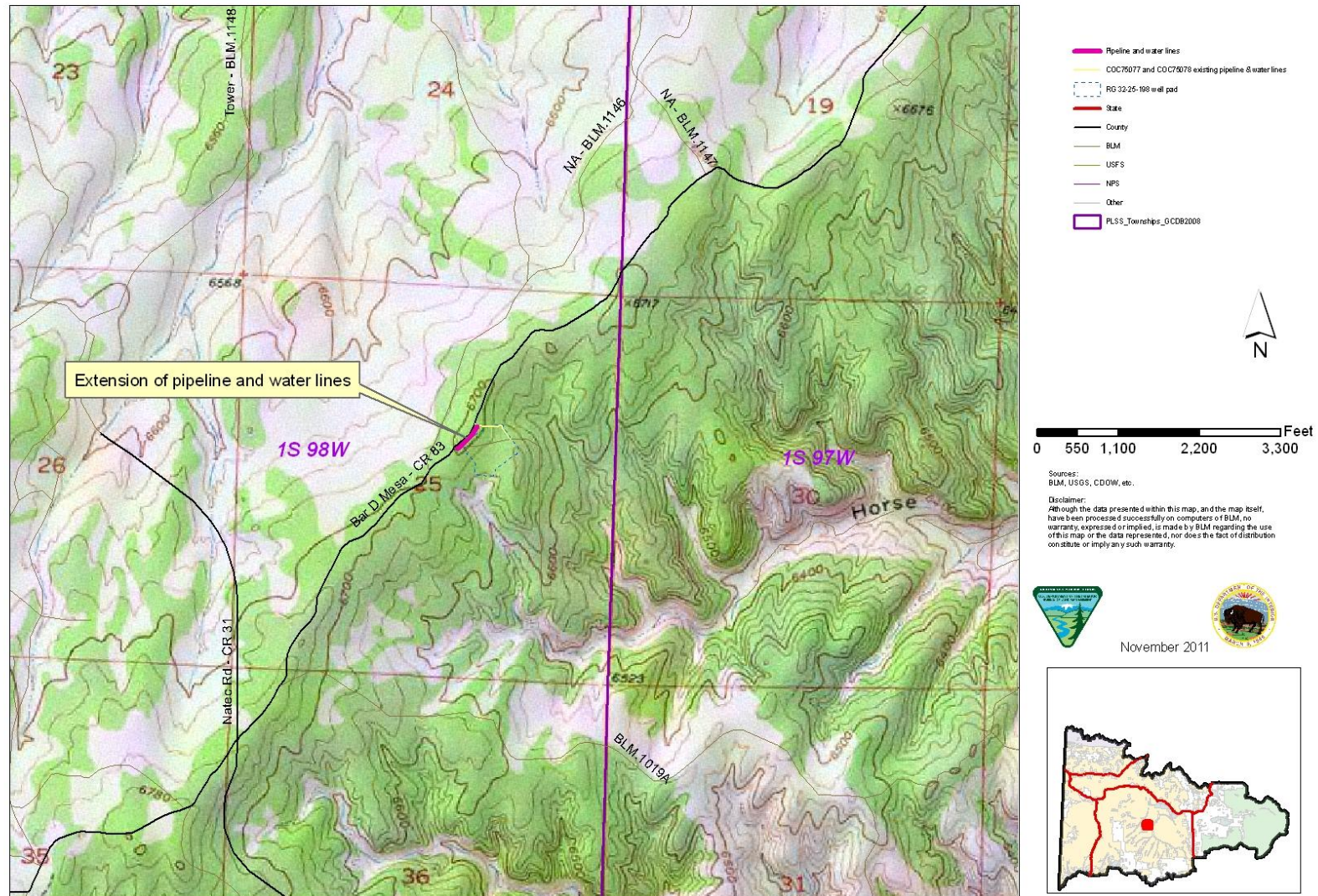
DATE SIGNED:

11/23/2011

ATTACHMENTS: Exhibit A: Map of Proposed Action

Extension of pipeline and water lines for RG 32-25-198 well pad T. 1 S., R. 98 W.

EXHIBIT A



**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: RG 32-25-198 Pipeline Extension

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2012-0007-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2012-0007-CX, authorizing the amendment to the rights-of-way grants for an extension of the natural gas pipeline and water pipelines to serve the RG 32-25-198 well pad.

Mitigation Measures

1. All applicable terms, conditions, and stipulations contained in original ROW grants COC75077 and COC75078 shall be carried forward and remain in full force and effect.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.
4. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource

within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on 11/8/2011 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E12. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL:


Field Manager

DATE SIGNED:

11/23/2011